

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bachmann *et al.*

Appl. No. 10/563,944

Filed: May 31, 2006

For: **Packaged Virus-Like Particles**

Confirmation No.: 2922

Art Unit: 1648

Examiner: LE, Emily M.

Atty. Docket: 1700.0670000/BJD/WBC

**Declaration of Martin F. Bachmann and
Katrin Schwarz Under 37 C.F.R. § 1.132**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned, Martin F. Bachmann and Katrin Schwarz, each declares and states as follows:

1. We are each inventors or co-inventors of one or more of the claims of the above-captioned application, U.S. Application Serial No. 10/563,944 ("the present application"), filed May 31, 2006.
2. We are each inventors or co-inventors of the subject matter that is common to both the present application and U.S. Application Serial No. 10/244,065 application, filed September 16, 2002 ("the '065 application"), cited by the publication number 2003/0099668 in the Office Action issued on October 17, 2008 in the present application.
3. To the extent that certain subject matter claimed in the present application is disclosed but not claimed in the '065 application, we invented that commonly disclosed subject matter.

4. We hereby declare that all statements made herein of our own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

April 15, 2009
Date

M. F. Bachmann
Martin F. Bachmann

Date

Katrin Schwarz